



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,115	12/15/2003	Mark R. Drane	577-617 (T&B 1748)	3636
23869	7590	09/27/2005		
HOFFMANN & BARON, LLP 6900 JERICHO TURNPIKE SYOSSET, NY 11791			EXAMINER ESTRADA, ANGEL R	
			ART UNIT 2831	PAPER NUMBER

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/736,115	Applicant(s) DRANE ET AL.	
	Examiner Angel R. Estrada	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 26 is/are pending in the application.
 4a) Of the above claim(s) 13-25 is/are withdrawn from consideration.
 5) ☒ Claim(s) 1-12 and 26 is/are allowed.
 6) ☐ Claim(s) _____ is/are rejected.
 7) ☒ Claim(s) 13-25 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/15/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I (claims 1-11 and 26) in the reply filed on June 27, 2005 is acknowledged. The traversal is on the ground(s) that Group I (claims 1-11 and 26) are related and capable of use together because the process for replacing the data jack face plate of claim 12 (Group II) is used to replace the data jack face plate mounted on the flush through of claims 1-11 and 26 (Group I). The Examiner agrees with the applicant and has withdrawn the restriction requirement for Group I and II.

Information Disclosure Statement

2. The information disclosure statement filed on December 15, 2003 has been considered by the Examiner.

Claim Objections

3. Claims 13-25 are objected to because of the following informalities:

Claims 13-25 should be deleted because they have been withdrawn from consideration. Appropriate correction is required.

Allowable Subject Matter

4. Claims 1-12 and 26 are allowed.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 1-12 and 26 are:

Regarding claims 1-11, the prior art does not teach or fairly suggest in combination with the other limitations of said data jack face plate sized for removal through the opening in the flange and secured within said receptacle region by at least one fastener, said at least one fastener accessible for removal through the opening of the flange, whereby said data jack face plate may be both installed and uninstalled without removal of said flange.

Regarding claim 12, the prior art does not teach or fairly suggest in combination with the other limitations a process for replacing a data jack face plate in a fully-assembled poke-through device comprising the steps of detaching and removing the data jack face plate from said fully-assembled poke-through device through the at least one opening; disconnecting the at least one data jack from the at least one data communication wire; providing a new jack face plate for installation through said opening; connecting at least one new data jack in said new data jack face plate to said at least one data communication wire.

Regarding claim 26, the prior art does not teach or fairly suggest in combination with the other limitations of said data jack face plate sized for removal through the at least one opening and secured within the receptacle region by at least one fastener, said at least one fastener accessible for removal through the opening of the flange, whereby said data jack face plate may be both installed and uninstalled without removal of said flange.

These limitations are found in claims 1-12 and 26, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Castellani et al (US 4,770,643), Cole et al (US 6,612,081 and US 6,854,226) and Stout et al (US 6,750,395) disclose a flush poke-through fitting.

6. This application is in condition for allowance except for formal matters: Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

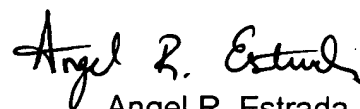
7. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 16, 2005

 9/15/05
Angel R. Estrada
Patent Examiner
Art Unit: 2831